



An  
Bord  
Pleanála

**Board Direction**  
**BD-016553-24**  
**ABP-317803-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/06/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

1. Having regard to the settlement strategy set out in the Wicklow County Development Plan 2022-2027, the Board is not satisfied that the development proposed for retention is not an unauthorised structure and it is therefore considered that the applicants have not submitted sufficient evidence to show that they come within the scope of the housing need criteria as set out under Objective CPO 6.41 and Table 6.3 of the Development Plan to facilitate residential development in the open countryside.
2. It is considered that the development proposed to be retained and proposed development would endanger public safety by reason of traffic hazard because of the additional traffic movements on the local road in the absence of demonstrating that a safe entrance in terms of sightline distances and gradient can be provided to serve the development at the junction of the local access road with the L1011-57. The development proposed to be retained and proposed development would,

therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the location of the site in a highly scenic rural area, designated as an Area of Outstanding Natural Beauty in the Wicklow County Development Plan 2022-2028, it is considered that the development proposed for retention and extension, by reason of their scale and height, would form an obtrusive feature at this location and would seriously injure the visual amenities of the area and the viewline of Prospects 1, 2 and 17 as listed in the Development Plan. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member**

*Eamonn James Kelly*

**Date:** 12/06/2024

Eamonn James Kelly

#### **Note**

The Board did not agree that Objective CPO 6.43 can apply to the proposed development and therefore the proposal is not for a new dwelling as set out in Section 7.2 of the Inspector's report because the Inspector did not engage with the criteria in CPO 6.43 in order to arrive at this conclusion, and insufficient information was provided by the applicants in that regard.

In addition, the Board was not fully satisfied that the issue concerning the structural integrity of the rear roadside bank and the public road above, i.e., L 1011-57, was

fully resolved. However, given the substantive reasons for refusal the Board did not pursue the matter further.

Furthermore, in light of the Board's first reason for refusal, the Board revised accordingly the Inspector's relevant recommendation in its third reason for refusal.